

**APPROVED 10-26-16**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES**  
**Inland Wetlands Commission**

Minutes of the Inland Wetlands Commission meeting held on Wednesday, September 28, 2016 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

**MEMBERS PRESENT:**

Mark R. Trojanowski, Chairman  
Peter Tenedine, Vice Chairman  
Steven J. Nugent, Secretary  
Pat Libero  
Joseph L. Tenedine  
Frank H. Bumsted, Alternate, sitting  
Steven Miller, Alternate, sitting

**ABSENT MEMBERS:**

Cheryl A. Juniewicz  
Anna Garsten  
Pamela Sletten, Alternate

**TOWN STAFF:**

Alan Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Laura Magaraci, Zoning and Inland Wetlands Enforcement Officer  
Sandra Lion, Clerk  
Genevieve Bertolini, Stenographer

**AGENDA:**

Mr. Trojanowski, Chairman, called the meeting of the Inland Wetlands Commission to order at 7:03 PM and introduced the Commission and town staff. Then, Mr. Trojanowski asked if there were any further matters to come before the Commission. Mr. Fredricksen stated that applications #I16-04, 480 Valley Service Road, and #I16-08, 321 Upper State Street, have been postponed to the October 26, 2016 meeting.

**PUBLIC HEARINGS:**

1. #I16-04      Application of Swampy Valley Farm LLC, Applicant, Robert Neubig, Owner, relative to 480 Valley Service Road, (Map 85, Lot 1), seeking a Permit to Conduct Regulated Activity. Plan Entitled: Property of Swampy Valley Farm LLC. Prepared by Thomas A. Stevens & Associates, Inc. Dated 01-15-15, rev 07-26-16. Scale 1"=50'. IL-80 Zoning District.

This application has been postponed to the October 26, 2016 meeting.

2. #I16-08 Application of Edwina C. David, Applicant & Owner, relative to 321 Upper State Street, (Map 93, Lot 67), seeking a Permit To Conduct Regulated Activity. Plan Entitled: Curtain Drain Installation, 321 Upper State Street, North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated 08/10/2016. Scale 1" = 20'. R-40 Zoning District.

This application has been postponed to the October 26, 2016 meeting.

Mr. Nugent read the call for the first Public Hearing:

3. #I16-09 Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street, (Map 26, Lot 44), seeking a Permit to Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Whitewood Pond Apartments Ponds Maintenance, 392 State Street, North Haven, Connecticut. Prepared by Fuss & O'Neill. Dated August 25, 2016. Scale 1"=30'. CB-40/R-20 Zoning Districts.

Attorney John Lambert of 25 Trumbull Place, North Haven, presented the application to permit the removal of accumulated sediment from two existing ponds on the property. A Permit to Conduct Regulated Activity is required for this work and a referral is required for the Planning & Zoning Commission application for an Excavation Permit.

Mr. Joshua Wilson of Fuss & O'Neill described the site and the proposed project and then discussed the impacts of the project. Mr. Phil Forzley, P.E. of Fuss & O'Neill described the project sequence and submitted a site plan as Exhibit A. Then, he further described the proposed project and alternatives and answered questions from the Commission. Mr. Wilson and Mr. David Kaplan, Manager of Whitewood Pond Apartments, also answered questions from the Commission and town staff.

There being no public comment, the Public Hearing was closed.

Mr. Nugent read the call for the last Public Hearing:

4. #I16-10 Application of Bennett & Smilas Associates, Inc., Applicant, Margaret Cloutier, Owner, relative to 117 Upper State Street, (Map 83, Lot 72), seeking a Permit to Conduct Regulated Activity and Subdivision Referral. Plan Entitled: Site Development Plan, Land Now or Formerly Margaret A. Cloutier, 117 Upper State Street, North Haven, Connecticut. Prepared by: Bennett & Smilas Associates, Inc. Dated August 19, 2016. Scale 1"= 40'. R-40 Zoning District.

Mr. Mike Bennett of Bennett & Smilas Associates, Inc. presented the application to permit the subdivision of this approximately 4.9 acre parcel into two (2) residential building lots. The existing house and shed on the property would remain on lot #1, which would become approximately 2.1 acres. The regulated activity has been reduced to the construction of required street sidewalks, if they are not waived by the Planning & Zoning Commission.

Conservation Easements are proposed to protect the property from future construction activities and undesired uses. The Commission asked questions and Mr. Bennett, Mr. Fredricksen and Mr. Bodwell responded. Mr. Bennett explained the regulated activity and proposed drainage system and then he answered further questions from the Commission.

Mr. Trojanowski asked for public comment.

Public Comment:

1. Bruce and Donna Dumelin, 114 Upper State Street, have concerns with blasting impacting their well and nearby homes with stone foundations. Mr. Dumelin asked about drainage pipes and has concerns with the existing pond flooding his property. He also has traffic safety concerns with the curve in the road because there are no guardrails.

Mr. Bennett responded to the public comment. There being no further public comment, the Public Hearing was closed.

#### **DELIBERATIONS:**

3. #I16-09 Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street.

Mr. Bumsted moved to approve a Permit to Conduct Regulated Activity and to send a positive Site Plan Referral to the Planning and Zoning Commission with the following conditions; no tree removal on the property, provide a trash rack on the outlet structure, submit manifests for the transportation of all contaminated soil, install an anti-tracking pad for storage area #2, and conduct a pre-construction meeting with town staff; Mr. Libero seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Nugent – aye Libero – aye J. Tenedine – aye Bumsted - aye Miller - aye

The application was approved with appropriate conditions.

4. #I16-10 Application of Bennett & Smilas Associates, Inc., Applicant, Margaret Cloutier, Owner, relative to 117 Upper State Street.

Mr. Bumsted moved to approve a Permit to Conduct Regulated Activity and to send a positive Subdivision Referral to the Planning and Zoning Commission with the following conditions; install wetland buffer markers, subject to town staff approval of locations, and hand remove all litter, debris, scrap metal, trash, etc. from the wetlands and the wetland buffer areas; Mr. J. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Nugent – aye Libero – aye J. Tenedine – aye Bumsted – aye Miller - aye

The application was approved with appropriate conditions.

**INFORMAL:** None

**OTHER:**

-35 Bassett Road

Mr. Fredricksen explained to the Commission that the owner of 35 Bassett Road is proposing to construct a second floor deck and lives near Waterman's Brook. He asked the Commission if they feel that this project can be approved administratively. Then, Ms. Magaraci and Mr. Fredricksen answered questions from the Commission.

Mr. Bumsted moved to grant the Duly Authorized Agent, Alan Fredricksen, authority to approve a permit for the construction of a deck addition that would lie within the Inland Wetland buffer area at 35 Bassett Road; Mr. Libero seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Nugent – aye Libero – aye J. Tenedine – aye  
Bumsted – aye Miller - aye

**ENFORCEMENT ACTION:**

Ms. Laura Magaraci, Inland Wetlands and Zoning Enforcement Officer, discussed with the Commission an ongoing wetlands violation occurring on a site located on Quinipiac Avenue.

**EXTENSIONS:** None

**PERMITTED USES AS OF RIGHT:** None

**BOND RELEASES & REDUCTIONS:** None

**CORRESPONDENCE:** -#116-07, 570 Universal Drive North, Referral Approval Letter  
-DEEP Letter, 999 Mount Carmel Avenue

Mr. Fredricksen reviewed the correspondence with the Commission.

**MINUTES:**

-August 24, 2016

Mr. Bumsted moved to approve the August 24, 2016 meeting minutes; Mr. Libero seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Libero – aye J. Tenedine – aye Bumsted – aye Miller – aye

**ADJOURN:**

Mr. Bumsted moved to adjourn the meeting; Mr. Miller seconded the motion. The meeting was adjourned at 9:06 PM.